

Hilmer, Tracy (CFPB)

From: Ellis, Abram J <AEllis@stblaw.com>
Sent: Monday, June 17, 2024 6:30 PM
To: Hilmer, Tracy (CFPB); Gimbel, Noah; Alyssa McGraw; Knox, Jeffrey H; Megan Poetzel; Palmadesso, Nicole; Ronald Safer; Samuel Greeley; Teena-Ann Sankoorikal; Terri Mascherin; Valerie Hletko; William O'Neil
Cc: Atkinson, Torie (CFPB); Divine, Jessica (CFPB); Garg, Anjali (CFPB); Hickman, Johanna (CFPB); Warren, Mary (CFPB); Knott, Ashley (CFPB)
Subject: Re: CFPB v. TransUnion, et al.

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Tracy,

Please append our correspondence as our position.

Thanks,

From: Hilmer, Tracy (CFPB) <Tracy.Hilmer@cfpb.gov>
Sent: Monday, June 17, 2024 6:28:40 PM
To: Gimbel, Noah <Noah.Gimbel@stblaw.com>; Ellis, Abram J <AEllis@stblaw.com>; Alyssa McGraw <amcgraw@cov.com>; Knox, Jeffrey H <Jeffrey.Knox@stblaw.com>; Megan Poetzel <mpoetzel@jenner.com>; Palmadesso, Nicole <Nicole.Palmadesso@stblaw.com>; Ronald Safer <rsafer@rshc-law.com>; Samuel Greeley <sgreeley@cov.com>; Teena-Ann Sankoorikal <TSankoorikal@cov.com>; Terri Mascherin <tmascherin@jenner.com>; Valerie Hletko <VHletko@cov.com>; William O'Neil <woneil@cov.com>
Cc: Atkinson, Torie (CFPB) <Torie.Atkinson@cfpb.gov>; Divine, Jessica (CFPB) <Jessica.Divine@cfpb.gov>; Garg, Anjali (CFPB) <Anjali.Garg@cfpb.gov>; Hickman, Johanna (CFPB) <Johanna.Hickman@cfpb.gov>; Warren, Mary (CFPB) <Mary.Warren@cfpb.gov>; Knott, Ashley (CFPB) <Ashley.Knott@cfpb.gov>
Subject: RE: CFPB v. TransUnion, et al.

*** External Email ***

Thank you Noah. The Bureau will indicate that that the motion is opposed because TransUnion has already indicated that it will oppose the motion. The Bureau will also note that the parties were unable to come to a resolution on Danaher's position before filing.

Regards,

Tracy

From: Gimbel, Noah <Noah.Gimbel@stblaw.com>
Sent: Monday, June 17, 2024 5:46 PM
To: Hilmer, Tracy (CFPB) <Tracy.Hilmer@cfpb.gov>; Ellis, Abram J <AEllis@stblaw.com>; Alyssa McGraw <amcgraw@cov.com>; Knox, Jeffrey H <Jeffrey.Knox@stblaw.com>; Megan Poetzel <mpoetzel@jenner.com>; Palmadesso, Nicole <Nicole.Palmadesso@stblaw.com>; Ronald Safer <rsafer@rshc-law.com>; Samuel Greeley <sgreeley@cov.com>; Teena-Ann Sankoorikal <TSankoorikal@cov.com>; Terri Mascherin <tmascherin@jenner.com>; Valerie Hletko <VHletko@cov.com>; William O'Neil <woneil@cov.com>
Cc: Atkinson, Torie (CFPB) <Torie.Atkinson@cfpb.gov>; Divine, Jessica (CFPB) <Jessica.Divine@cfpb.gov>; Garg, Anjali

(CFPB) <Anjali.Garg@cfpb.gov>; Hickman, Johanna (CFPB) <Johanna.Hickman@cfpb.gov>; Warren, Mary (CFPB) <Mary.Warren@cfpb.gov>; Knott, Ashley (CFPB) <Ashley.Knott@cfpb.gov>

Subject: Re: CFPB v. TransUnion, et al.

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Tracy,

It is not immediately clear to us what you mean by the "overlapping issues" between the two motions. Can you please provide more color on how you see the issues overlapping so as to justify a delay now, and reconcile that with your position regarding delays articulated in your March 12email on the subject (when you expressed "concerns about Defendants' delays . . . putting the discovery calendar in jeopardy")?

With that information, we may be able to provide our position, although we cannot commit to meeting your 1.5-hour deadline.

Best,
Noah

V. Noah Gimbel
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From: Hilmer, Tracy (CFPB) <Tracy.Hilmer@cfpb.gov>

Sent: Monday, June 17, 2024 4:47:45 PM

To: Ellis, Abram J <AEllis@stblaw.com>; Alyssa McGraw <amcgraw@cov.com>; Knox, Jeffrey H <Jeffrey.Knox@stblaw.com>; Megan Poetzel <mpoetzel@jenner.com>; Palmadesso, Nicole <Nicole.Palmadesso@stblaw.com>; Gimbel, Noah <Noah.Gimbel@stblaw.com>; Ronald Safer <rsafer@rshc-law.com>; Samuel Greeley <sgreeley@cov.com>; Teena-Ann Sankoorikal <TSankoorikal@cov.com>; Terri Mascherin <tmascherin@jenner.com>; Valerie Hletko <VHletko@cov.com>; William O'Neil <woneil@cov.com>

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*** External Email ***

Counsel: Because of the overlapping issues between the Bureau's still-pending Motion to Prohibit Danaher from Claiming or Citing Reliance on Advice of Counsel (ECF No. 246) and the Bureau's Motion to Compel TransUnion to Produce Documents As To Which It Has Waived Privileges (ECF No. 240), the Bureau intends to seek an enlargement of the deadline for serving and filing objections to the Magistrate's June 10, 2024 decision (ECF No. 321). The Bureau will ask the Court to extend the deadline until 14 days after the Magistrate has ruled on ECF 246 so that, if objections are filed, both rulings can be considered together.

Please let us know by 6:30 pm today whether Corporate Defendants and Danaher will oppose the motion.

Regards,

Tracy

Tracy L. Hilmer
Senior Litigation Counsel
Office of Enforcement
Mobile: (202) 394-2617

Consumer Financial Protection Bureau
consumerfinance.gov

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